

To the Members of the California State Assembly:

I am returning Assembly Bill 1617 without my signature.

This bill would prohibit cigarette sales via the Internet to individual California consumers and only permit shipping of cigarettes via the Internet to certain licensed businesses.

This bill is intended to help curb smoking by minors and also help the state collect all applicable taxes on tobacco. In vetoing nearly identical legislation last year, I noted that the federal Jenkins Act, which requires the sale of tobacco across state lines to be reported to the Board of Equalization, is already in place to help identify taxable sales of tobacco. Further, existing law reduces youth access to cigarettes over the Internet by requiring Internet sellers and shippers to verify the age of the purchaser. Proponents should address any perceived deficiencies in these laws rather than seeking an outright prohibition that will be difficult to enforce.

Sincerely,

Arnold Schwarzenegger